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CLERK

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November 1, 2018

Honorable Anne E. Thompson  
United States District Judge  
402 E. State Street  
Trenton, New Jersey 08608

Re: United States v. Lidya Radin, Crim. No. 18-452 (AET)  
(Appeal from Mag. No. 17-4519 (TJB))

Dear Judge Thompson:

The Government is in receipt of the "Omnibus [sic] Motions: To Disqualify AUSA Gribko, Judge Thompson, & Court-Appointed Attorney Davis & Motion To Compel Government To Serve "At Call" Audio/Transcripts, & Motion For 60 Day Adjournment To Allow The Government Serve & To Find A New Attorney, & Pending Review By A Certified ADA Advocate, & Other Relief" filed by Lidya Radin on October 26, 2018 (the "Omnibus Motion"). [Docket #7].

The Omnibus Motion was filed after Radin failed to file any brief (other than her August 2, 2018 Notice of Appeal [Docket # 1], which she vehemently denies was a brief), contrary to Local Criminal Rule 58.1. Radin also failed to appear for oral argument, despite the fact that she was well aware that it had been scheduled for October 26, 2018 (See Omnibus Motion p. 2; Radin's Affidavit in support of Omnibus Motion, p. 2 ¶ 11; Exhibit 1 to Omnibus Motion (showing Radin knew at least as early as October 23, 2018)). Indeed, the Omnibus Motion appears to have been received by the Clerk's Office and docketed after the Court affirmed the decision of Magistrate Judge Bongiovanni. [Docket # 6].

The Court should not consider the Omnibus Motion given Radin's refusal to abide by the schedule set by the Court on September 21, 2018, her failure to comply with the Local Rules, her failure to file any papers at all prior to the Court's Order affirming the decision of Magistrate Judge Bongiovanni, and her failure to appear at oral argument. Radin's complete failure to comply with Local Criminal Rule 58.1 and prosecute the appeal is not excused by her *pro se* status. See *LoSacco v. City of Middletown*, 71 F.3d 88, 92 (2d Cir. 1995)(It is

*Case is closed*  
*Dismissed*  
*As Ordered*  
*Anne E. Thompson*  
*USDI*  
*11/19/18*

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well-settled that “*pro se* litigants should be afforded latitude,” but “they generally are required to inform themselves regarding procedural rules and to comply with them.” (citations omitted)).

Moreover, Radin’s first two demands are moot. The transcripts that she seeks were attached to the Government’s October 12, 2018 brief. (See Government Brief [Docket # 4], Exhibits 1, 2, 3 and 4). The Government’s Brief and attached Exhibits was served on Radin *via* the Court’s Electronic Case Filing (“ECF”) system as well as by Federal Express, which Radin admits she received on October 15, 2018. (Radin’s Affidavit in support of Omnibus Motion, p. 2 ¶ 18). Indeed Radin attached a copy of pages from those transcripts to her Omnibus Motion (See, Exhibit 2 to Omnibus Motion (which indicates it was printed from the ECF Filing of the Government Brief)). Thus, Radin’s demands that the Government provide those transcripts and for a stay for them to be provided are moot (Omnibus Motion p. 9, demands 1 and 2).

Radin’s remaining demands to strike the Government’s Brief, to sanction me and for other relief (Omnibus Motion p. 9, demands 3, 4 and 5) also appear to be based at least in part on her claimed lack of those same transcripts, in which case they are similarly moot. To the extent Radin’s incoherent arguments can be construed to have some other purported basis they are baseless, nonsensical and frivolous. If the Court requires further response by the Government to those demands, the Government respectfully requests one week to prepare any requested response.

Accordingly, Defendant Lidya Radin’s Omnibus Motions should be denied.

Respectfully submitted,

CRAIG CARPENITO  
United States Attorney

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By: R. Joseph Gribko  
Assistant U.S. Attorney

cc: Lidya Radin (by Federal Express)  
Mark Davis, Esq. (by e-mail)